

CHAITMAN LLP

Helen Davis Chaitman
465 Park Avenue
New York, New York 10022
Phone & Fax: 888-759-1114
hchaitman@chaitmanllp.com

*Attorneys for Defendants on Exhibit A to Notice of
Motion [ECF 13603-1]*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DEFENDANTS LISTED ON EXHIBIT A
TO NOTICE OF MOTION [ECF 13603-1],

Defendants.

DECLARATION OF HELEN DAVIS CHAITMAN

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C.

§1746, as follows:

1. I am a partner with Chaitman LLP, counsel to numerous clawback defendants (“Defendants”). I am a member of the bars of New York and New Jersey, and of this Court.

2. I submit this declaration in further support of Defendants’ request to depose Bernard L. Madoff on Day 2 deposition topics.

3. Attached hereto as **Exhibit A** is a true and accurate copy of *Picard v. Wilenitz* Adv. Pro. No. 10-04995 (SMB) Defendants’ First Set of Document Demands and Interrogatories to the Trustee dated March 8, 2016.

4. Attached hereto as **Exhibit B** is a true and accurate copy of *Picard v. Wilenitz* Adv. Pro. No. 10-04995 SMB) ECF 68 Defendants’ Notice of Motion dated August 29, 2016

5. Attached hereto as **Exhibit C** is a true and accurate copy of TRI Microfilm Records Certification dated march 2, 1988.

6. Attached hereto as **Exhibit D** is a true and accurate copy of Baker & Hostetler LLP letters dated March 6, 2017 and December 15, 2016.

7. Attached hereto as **Exhibit E** is a true and accurate copy of Plea Allocution of Bernard L. Madoff, *United States v. Madoff*, No. 09-CR-213 (S.D.N.Y. March 12, 2009).

8. Attached hereto as **Exhibit F** is a true and accurate copy of Plea Allocution of Frank DiPascali, Jr., *United States v. DiPascali*, No. 09-CR-764 (RJS) (S.D.N.Y. Aug. 11, 2009).

9. Attached hereto as **Exhibit G** is a true and accurate copy of Deposition Transcript of Bernard L. Madoff dated April 26, 2017.

10. Attached hereto as **Exhibit H** is a true and accurate copy of *United States v. Bonventre et al.*, (10-cr-228), trial transcript dated October 20, 2013.

11. Attached hereto as **Exhibit I** is a true and accurate copy of redacted Deposition Transcript of Bernard L. Madoff dated December 20, 2016.

12. Attached hereto as **Exhibit J** is a true and accurate copy of Expert Report Appendix “B” Listing of Documents Considered by Bruce G. Dubinsky.

13. Attached hereto as **Exhibit K** is a true and accurate copy of Expert Rebuttal Report of William Feingold dated May 11, 2017.

14. Attached hereto as **Exhibit L** is a true and accurate copy of Declaration of Steve Maslow dated May 11, 2017.

15. Attached hereto as **Exhibit M** is a true and accurate copy of *In re Madoff* 08-01789 (SMB) Hearing Transcript dated May 17, 2016.

16. Attached hereto as **Exhibit N** is a true and accurate copy of *Picard v. Wilenitz* 10-04995 (SMB) Trustee Irving H. Picard’s Responses and Objections to Defendants’ Document Demand and Interrogatories dated April 8, 2016.

17. Attached hereto as **Exhibit O** is a true and accurate copy of *In re Madoff* 08-01789 (SMB) Hearing Transcript dated May 31, 2017.

18. Attached hereto as **Exhibit P** is a true and accurate copy of National Bank of North America Statement Dated January 31, 1983.

19. Attached hereto as **Exhibit Q** is a true and accurate copy of Arthur & Sofie Blecker customer statements from the period from August 31, 1982 – February 28, 1983.

20. Attached hereto as **Exhibit R** is a true and accurate copy of Arthur & Sofie Blecker customer statements from February 28, 1985 – May 31, 1985.

21. Attached hereto as **Exhibit S** is a true and accurate copy of statement of securities held by National Bank of North America shows securities held in custody as of December 14, 1982 for Avellino & Bienes (MF00843942).

22. Attached hereto as **Exhibit T** is a true and accurate copy of Morgan Stanley Statement dated November 30, 2000.

23. Attached hereto as **Exhibit U** is a true and accurate copy of Bear Stearns Statement dated November 30, 2001.

24. Attached hereto as **Exhibit V** is a true and accurate copy of Fidelity Statement dated February 29, 2000.

25. Attached hereto as **Exhibit W** is a true and accurate copy of Chase Manhattan Bank Statement dated December 31, 2001.

26. Attached hereto as **Exhibit X** is a true and accurate copy of JPMorgan Chase Statement dated December 31, 2003.

27. Attached hereto as **Exhibit Y** is a true and accurate copy of National Securities Clearing Corp. Buyer Trade Reporting Blotter from December 12 1986 – March 19, 1987.

28. Attached hereto as **Exhibit Z** is a true and accurate copy of National Westminster Bank inventory of securities held in custody dated April 30, 1985.

29. Attached hereto as **Exhibit AA** is a true and accurate copy of Michael A. Sabella email dated June 25, 2017 11:33 AM.

I declare under penalty of perjury that the foregoing is true and correct.

June 26, 2017

/s/ Helen Davis Chaitman